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TAGS: PGOV PHUM PREL UZ
SUBJECT: UZBEKISTAN: BUREAUCRATIC WRANGLING STALLS
RATIFICATION OF UN CONVENTION ON DISABLED PERSONS

Classified By: Pol/Econ Jonathan Davis for reasons 1.4 (B, D).

¶1. (C) Summary: On July 10, Poloff met with the Chairman of the Disabled People's Society of Uzbekistan to discuss Uzbekistan's efforts to ratify the United Nations (UN) Convention on the Rights of Persons with Disabilities. Despite most ministries' endorsement of the Convention, the Ministries of Economy and Finance continue to stall ratification. Uzbekistan's adoption of the Convention would represent a significant step forward for human rights in the country, and emphasizing this point in high-level meetings with GOU officials could help dislodge bureaucratic opposition and pave the way for Uzbekistan to become a state party later this year.

BUREAUCRATIC STAND-OFF STALLS CONVENTION'S RATIFICATION

¶2. (C) On July 10, Oybek Isoqov, Chairman of the Disabled People's Society of Uzbekistan, told Poloff that the Government of Uzbekistan's (GOU) efforts to ratify the UN Convention on the Rights of Persons with Disabilities remain mired in a bureaucratic stand-off. (Note: The UN General Assembly adopted the Convention in December 2006, and it entered into force on May 12, 2008, after receiving its twentieth ratification in April 2008. End note.) Isoqov reported that President Karimov established an inter-ministerial committee to study ratification of the Convention immediately after receiving a letter from the UN inviting Uzbekistan to join in March 2007. (Comment: This invitation coincided nicely with President Karimov's designation of 2007 as the "Year of Social Protection." End comment.) Although 11 ministries reportedly endorse the Convention--including the Ministry of Labor and Social Protection (MLSP)--the Ministries of Economy and Finance continue to stall progress toward ratification due to concerns about the economic cost of complying with the Convention's provisions. Isoqov noted that President Karimov may be unaware of the bureaucratic battle holding up ratification within the inter-ministerial committee.

¶3. (SBU) Isoqov informed Poloff that while the chief goal of the Disabled People's Society of Uzbekistan is to champion Uzbekistan's ratification of the Convention, the Society has limited leverage with the GOU, and he welcomed U.S. assistance in raising the issue of ratification with President Karimov and other high-level GOU officials. (Note: The Disabled People's Society of Uzbekistan is a non-governmental organization that was founded in 1991. It boasts 114 branches, 3,500 employees, more than 120,000 members, and approximately 60 enterprises that employ disabled persons. Additionally, it publishes its own

newspaper, "Dignity." The Society is also a past recipient of several Democracy Commission Grants from Embassy Tashkent.
End note.)

¶4. (SBU) Isoqov informed Poloff that while ratification would require Uzbekistan to report periodically on measures taken to comply with the Convention, it was also important for Uzbekistan to ratify the associated Optional Protocol in order to ensure full implementation of the Convention's provisions. (Note: The Optional Protocol provides for two procedures to strengthen implementation of the Convention: (i) an individual communications procedure that provides aggrieved individuals with a means to file a complaint against a state party with the Committee on the Rights of Persons with Disabilities for an alleged violation of the Convention, and (ii) an inquiry procedure that enables the Committee to investigate systematic and widespread violations of the rights of disabled persons. End note.)

RECENT AMENDMENTS UNDERMINE DISABLED PERSONS' RIGHTS

¶5. (C) Isoqov also said that the recently enacted June 2008 amendments to the 1991 law "On the Social Protection of Disabled Persons in the Republic of Uzbekistan" represented a step backwards despite being heralded by the Uzbek parliament (Oliy Majlis) and state-controlled press as a move toward greater harmonization of domestic law with international standards. Isoqov reported that the June 2008 amendments eliminated a number of privileges previously enjoyed by disabled persons, such as free access to public transportation and subsidized housing and utilities. He also noted that while the statute still states that disabled

persons shall receive wheelchairs and other enabling equipment free of charge, recent amendments removed references to the GOU's provision of that equipment, making it unclear who would provide those items in the future. Isoqov also lamented an amendment that removed from the Disabled People's Society the power to evaluate construction plans for accessibility for disabled persons and placed it with the MLSP; he claimed that the MLSP had little interest in fulfilling its new role. Isoqov also noted that while disabled persons continue to receive a monthly pension of approximately USD 30, the pension fails to provide beneficiaries with an adequate standard of living, especially in Tashkent.

¶6. (SBU) On the other hand, Isoqov reported that the June 2008 amendments included limited improvements to domestic law, citing language that imposes fines of up to 70 times the monthly minimum wage against facilities deemed inaccessible to disabled persons as well as against organizations with workforces of 30 or more that fail to employ at least three percent disabled persons. However, Isoqov noted that the current lack of public knowledge would leave these provisions largely unimplemented.

¶7. (SBU) Note: Two most recent USAID-funded projects helped promote disabled persons rights in Uzbekistan, specifically the rights of disabled children. One USAID-funded project--the Participation, Education and Knowledge Strengthening Project (PEAKS)--operated from 2003 to 2006 with the aim of improving the quality of basic education in Uzbekistan. Integrating disabled children into mainstream schools was an important component of PEAKS, and the project succeeded in mobilizing resources to help disabled children access public schools by building handicapped ramps, assisting parents with transporting their children to school, and providing disabled children with enabling prosthetics. PEAKS also supported peer education activities to foster tolerance of and compassion toward disabled children among students and teachers in order to ensure non-discrimination of the disabled children once they were integrated into mainstream schools. The second, a USAID-funded Sports and Health Education Project (SHEP), operated from 2002 to 2006 and worked with a local non-governmental organization, Ziyo, to provide train-the-trainer courses to teachers on the

principles and techniques of social inclusion and non-discrimination on the basis of poverty or a disability.
End note.

COMMENT

17. (C) Uzbekistan's ratification of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol would represent a significant improvement in Uzbekistan's human rights record, and raising the issue of ratification should become a standard facet of our human rights dialogue with the GOU. In particular, bringing the issue of ratification to the attention of President Karimov or other high-level GOU officials may help alleviate bureaucratic impediments to ratification. Ongoing activities and events to mark the 60th anniversary of the Universal Declaration of Human Rights throughout this year continue to offer good opportunities to raise this issue with the GOU at the highest levels.

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